

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

TRANS ENERGY, INC.,  
a Nevada corporation,  
REPUBLIC PARTNERS VI, LP,  
a Texas limited partnership,  
REPUBLIC ENERGY VENTURES, LLC,  
a Delaware limited liability  
company and  
PRIMA OIL COMPANY, INC.,  
a Delaware corporation,

Plaintiffs,

v.

Civil Action No. 1:11CV75  
(STAMP)

EQT CORPORATION,  
a Pennsylvania corporation,

Defendant.

**FIRST ORDER AND NOTICE REGARDING DISCOVERY AND SCHEDULING**

Pursuant to Federal Rule of Civil Procedure 16(b) and 26(f) and Local Rules of Civil Procedure 16.01 and 26.01,<sup>1</sup> it is hereby ORDERED that:

1. Initial Planning Meeting: Pursuant to Federal Rules of Civil Procedure 16 and 26(f) and Local Rule of Civil Procedure 16.01(b), parties to this action shall meet in person or by telephone on or before September 6, 2011. At this meeting, the parties shall discuss all matters required by Federal Rules of

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<sup>1</sup>Reference to these and other local rules are to the Local Rules as revised and made effective July 20, 2010.

Civil Procedure 16 and 26(f)<sup>2</sup> and Local Rule of Civil Procedure 16.01(b).

2. Meeting Report and Proposed Discovery Plan: Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule of Civil Procedure 16.01(c), the parties shall file at the Clerk's Office a written report on the results of the initial discovery meeting on or before September 12, 2011. This report shall include the parties' report on those matters set forth in Local Rules of Civil Procedure 16.01(b)(1)-(5) and (c) and the parties' discovery plan as required by Federal Rule of Civil Procedure 26(f). The parties may refer to Form 52 of the Federal Rules of Civil Procedure for an example of a report on a planning meeting. However, the parties should be certain to supplement Form 52 with Local Rules of Civil Procedure 16.01(b)(1)-(5) and (c) disclosures. The parties' report on their meeting shall be considered by this Court as advisory only. Parties and counsel are subject to sanctions as set forth in Local Rule of Civil Procedure 37.01 for failure to participate in good faith in the development and submission of a meeting report and proposed discovery plan.

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<sup>2</sup>The parties are reminded that effective December 1, 2006, Rule 26(f) has been amended to require the parties to address: (1) any issues relating to disclosure or discovery of electronically stored information, including the form or forms in which it should be produced; and (2) any issues relating to claims of privilege or protection as to trial preparation material including, if the parties agree on a procedure to assert such claims after production, whether to ask the Court to include their agreement in an order. See Revised Form 52, Federal Rules of Civil Procedure (Report of Parties' Planning Meeting).

3. Scheduling Conference/Scheduling Order: Upon receipt of the meeting report and proposed discovery plan, this Court may conduct a scheduling conference at a date and time deemed appropriate. See Fed. R. Civ. P. 16(b) and LR Civ P 16.01(d). However, if this Court determines, after a review of the meeting report and proposed discovery plan that a scheduling conference is not necessary, no conference will be scheduled and a scheduling order will be entered. See Fed. R. Civ. P. 16 (b) and LR Civ P 16.01(c). Pursuant to Local Rule of Civil Procedure 16.01(e), a scheduling order will be entered on or before September 26, 2011.

4. Initial Discovery Disclosures: Pursuant to Federal Rule of Civil Procedure 26(a)(1) and Local Rule of Civil Procedure 26.01(a), each party shall provide to every other party the initial discovery disclosures required under Federal Rule of Civil Procedure 26(a)(1) on or before October 3, 2011.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: July 14, 2011

/s/ Frederick P. Stamp, Jr.  
FREDERICK P. STAMP, JR.  
UNITED STATES DISTRICT JUDGE